

ONE ENJOYS

Both the method and results when Syrup of Figs is taken; it is pleasant and refreshing to the taste, and acts gently yet promptly on the Kidneys, Liver and Bowels, cleanses the system effectually, dispels colds, head-aches and fevers and cures habitual constipation. Syrup of Figs is the only remedy of its kind ever produced, pleasing to the taste and acceptable to the stomach, prompt in its action and truly beneficial in its effects, prepared only from the most healthy and agreeable substances, its many excellent qualities commend it to all and have made it the most popular remedy known.

Syrup of Figs is for sale in 50c and \$1 bottles by all leading druggists. Any reliable druggist who may not have it on hand will procure it promptly for any one who wishes to try it. Do not accept an substitute.

CALIFORNIA FIG SYRUP CO. SAN FRANCISCO, CAL. NEW YORK, N.Y.

ATCHISON RATES MET

ACTION TAKEN BY WESTERN PAS- | creased authority. SENGER ASSOCIATION LINES.

Burlington Accused of Cutting Fares for Teachers-Freight Bureau Needed at Indianapolis.

The Western Passenger Association lines yesterday announced that they would meet ail the reduced rates made by the Atchison for excursion business to Colorado points. There is no intention on the part of the association lines to keep these rates in effect for the benefit of later excursionists, unless it is found absolutely necessary. The fact that the League of Republican Clubs has obtained a very low rate is no sign that all the other meetings which are to take place in the West during the summer will be given a rate as low as that obtained by the league. The association lines say that they are determined to hold up rates, if it be a possible thing, but there is a lack of confidence among the lines, which bodes ill for the maintenance of any rates for any length of time. The Atchison is still engaged on its detective work, and declared yesterday that it had discovered that the Union Pacific had given side trips to the delegates to the homeopthists' convention, despite its assertion that it had withdrawn all things of that sort from the rate at first given to the people attending the convention. The Burlington is again accused of cutting the rates for teachers, and, although it stoutly denies that it is doing anything of the sort, the other lines say that they know better. On top of all this trouble the Missouri Pacific and the Alton are fighting over the question of cut-rates to Denver, and the general outlook for peace among the association lines is near

the association lines is poor.

The final hearing of the dispute between the Missouri Pacific and the Alton over the responsibility for cutting the rates to Denver has been adjourned until July 10. It has been found impossible to get some of the most necessary witnesses to testify before that time.

A Freight Bureau Needed.

Said a large shipper: "I know of no place where a well-managed freight bureau could accomplish better results than at Indianapolis. As operated in the past, but little was accomplished, the managers of the bureau not being persistent and aggressive. This lack of energy caused the supporters of the bureau and the Board of Trade, one of its principal contributors, to become discouraged, and for the last eighteen months the bureau has been practically inoperative. Without question Indianapolis is discriminated against in favor of Colcago in the matter of west-bound rates. The officers of the various railway associations are all located in Chicago. and, naturally, have a warm side for that city, and anything its merchants or man-ufacturers ask that is not too pronounced discrimination against other railroad cer The matter would be still worse for Indianapolis were there not so many railroads here to compete for the business. To make a success of a freight bureau here a salary should be paid which will command a man who has influence and who is well informed as to tariffs, and one who could readily discern any injustice to Indianapolis in rate matters. There is no justice in giving points seventy-five or one hundred miles west or east of Indianapolis as low a rate as Indianapolis gets. If a shipper or manufacturer is that distance nearer the point where freight is destined he should have the benefit of the better rate. Where bureaus are well manshippers and roads are benefited, as any irregularities or discrimination against a railroad point are discovered, and, as a rule, the general freight agent of a road is ready to remedy the grievance, as it is to the interest of his road to do so. In bureau there is an excellent opportunity for a commissioner of a freight bureau to help the shipper; especially is this true of Indianapolis. As Chief Inspector Rainer, of the Central Traffic Association, boasts that the Indianapolis bureau is the closest managed of any under his supervision, and makes the most money proportionately for the roads, and as the orders for operating it come from Chicago, there is good ground for a belief that Indianapolis often suffers to the advantage of Chicago. That a man competent to fill the position of commissioner of the freight bureau of Indianapolis could benefit the shippers and manufacturers thousands of dollars annually no one who understands the inside workings of railway companies will ques-

Two Railway Officials Dead. C. P. Leland, auditor of the Lake Shore railroad, died at Cleveland yesterday. The immediate cause of Mr. Leland's death was a complication of heart and kluney diseases. He had been confined to his bed for nearly two months, but his condition had apparently improved during the past ten days, and his sudden death was a great surprise. Mr. Leland was fifty-eight years of age, and had been connected with the Lake Shore road for thirty-four years. He was president of the National Association of Railway Officers, and was widely known in railroad circles throughout the country. Hugh M. Walters, president of the Kishooquillas Valley (Pennsylvania) Railroad Company, died at the Park Hotel, in Hannibal, Mo., yesterday evening.

Lake Erie & Western Earnings. George Bradbury, general manager of the Lake Erie & Western, has sent his report to New York. The actual earnings of the system for April, as compared with 1893, and for the first four months of the year

Gross earnings	\$245,160 148,641	Decrease	\$49,656 38,204
Net earnings Charges	\$96,519 56,171	Decrease	\$11,451 2,850
Surplus	\$40,348 985,099 418,220 195,074	Decrease Decrease Decrease	\$14,306 206,497 74,645 83,346

Personal, Local and General Notes. James McCrea, first vice president of the Pennsylvania Company, has gone East to be absent several days.

cinnati, Hamilton & Dayton, now in Europe, will sail for home the first of next week. J. Q. Van Winkle, general superintendent of the Big Four lines, accompanied by his family, will go East on Friday to be ab-

sent two weeks.

The dismissal of a number of train dispatchers on the Wabash makes it necessary for those retained to be on duty twelve instead of eight hours. J. A. Barnard, general manager of the Peoria & Eastern, and a party of friends, will to-day go to Old Point Comfort on his

special car for a week's stay. A general passenger agent remarked that he thought that with the proposed boy-cott of the Lake Erie & Western all attempts in that direction would end. James Bruce, who last week resigned as superintendent of the Pittsburg division of the Buffalo, Rochester & Pittsburg, will on Monday next return to that position. Orlando Taylor, iate assistant general passenger agent of the Old Colony Steamship Company, has been appointed general passenger agent of the New York, New Haven & Hartford.

It is said that the members of the American Ticket Brokers' Association have re-sponded promptly to the effort to raise money to fight the Illinois roads on the anti-scalping question.

The Frankfort News suggests that while the Monon is building new passenger sta-tions on the main line it should give the Indianapolis division some attention— Frankfort, for instance.

When H. S. Ives died he owned five thousand shares of Ohio Southern, the par value being \$500,000, but it was sold for \$250,000 to New York parties interested in the Cleve-land, Akron & Columbus.

The Louisville, Evansville & St. Louis earned in the second week of May \$25,131, a decrease this year of \$6,788; the Peoria, Decatur & Evansville earned \$18,669, a decrease this year of \$3,395 L. A. Emerson has been appointed traffic

manager of the South Carolina & Georgia with headquarters at Charleston. He will have full charge of all traffic matters and report direct to the president of the road. E. B. Thomas, vice president of the Erie, and its general manager, allows the superintendents of the several divisions only two-thirds the amount of money for expenses as compared with twelve months

The Indianapolis & Vincennes company will to-day commence running its local freight trains regularly as prior to the coal miners' strike. The service had been cut down on account of the short supply Notwithstanding all reports to the con-

trary, a prominent Southern railway of-ficial says E. B. Stahlman will be at the head of the Southern Railway and Steamship Association for another year with in-Under the revised by-laws and constitu-

tion of the American Railway Union, an insurance department is created both for life and disability benefits, but it is optional with the members of the association to take advantage of the benefits it af-

E. O. McCormick, passenger traffic manager of the Big Four, and D. B. Martin, general passenger agent of the lines, who have been in New York for two or three days conferring with the Vanderbilt peo-ple as regards improving the train serv-ice, are expected home to-day.

Rich coal beds have been struck at Kentland, Ind., half way between the Big Four and the Panhandle lines, and an effort will be made to induce one of the companies named to build a road to the newly discovered mines. The discovery of the coal was made by the sinking of an artesian

Commencing with Sunday next the New York Central will run hourly out of New York all night passenger trains as far as One-hundred-and-fifty-fifth street, the service beginning at 8 p. m. and ending at 5:55 a. m., when the regular day service begins. This is a new departure for American roads.

At two of the eight mines on the In-dianapolis & Vincennes the miners yesterday resumed work, which was very fortunate, as the supply of coal of several roads which depend largely on mines of this road for fuel was about exhausted. The Lake Erie & Western had gotten down to a two days' supply.

Complaint is made that the Big Four is not furnishing proper accommodations for the business the Southwestern limited, eastbound, is doing. Daily between St. Louis and Indianapolis passengers are obliged to stand in the aisles, and yesterday nine pas-sengers at St. Louis, two at Terre Haute, five at Indianapolis and seven at Marion were unable to secure sleeping car accommodations.

The loss experienced by the Pittsburg, Cincinnati, Chicago & St. Louis lines in May is considered as foreshadowing the percentage of loss other Western roads will show, as the economies practiced by the Pennsylvania people operating it make the road a fair example by which to judge of others, and it is believed the decrease in net earnings of other important lines to be heard from will be at least one-third

the loss in gross. When the heavy travel of the world's fair commenced the Pullman Palace-car Company would charter no cars except at full capacity of the car. Prior to that the company had a certain scale of prices which some of the railroad companies are asking the company to again adopt. Under the old scale, to charter a car from Indianapolis to New York, for instance, the Pullman company required \$105; under the new rule the same accommodations cost a party which wishes to charter a car \$120. The Cincinnati, Hamilton & Dayton, in these depressed times, is proving one of the exceptions in the treatment of its employes. As yet, no reduction in wages has been made, neither is there likely to be, and in no department has the force been so cut down as to in the least interfere with handling its business. While the officials of other roads have kept the employes on the

of strikes are unheard of on that road. Vice Chairman Pratt, of the New York clearing house of the Western Passenger Association, has gone to Montreal to con- | Youche and Judge Crumpacker, however, r with General Passenger Agent McNicoll, of the Canadian Pacific, regarding reports that the latter line is paying commissions on its emigrant business in violation of the clearing house agreement, which the Canadian Pacific agreed to observe at the time it was formally adopted by the association lines. Late advices from that portion of the world have been to the effect that the Canadian Pacific has not been observing the agreemnt as closely as the association lines would like to have it.

anxious seat about wages, the C., H. & D.

quence, grievance committees and threats

has left them undisturbed. As a conse-

The Knights of Pythias are making efforts to get one of the lines leading to Washington to still further reduce the rate for their annual gathering in that city. All roads have agreed to make the rate one unlimited fare for the round trip from all points. The Knights of Pythias want a one-cent-a-mile rate, the same as is given to the Grand Army of the Republic. Railway officials argue that the Knights are mostly young men holding good positions or in comfortable circumstances, while majority of the G. A. R. men are in humble circumstances or crippled so as to be unable to work, consequently they are entitled to a lower rate.

Beginning July 1, Northwestern lines will cancel their lake and rail rates via Chi-This will again make the trunk lines show their hand. If they wish they can force the corresponding rates via Duluth, and give rail connections a chance at the business; if they do not, Northwestern lines can pro rate with the Grand Trunk or the Big Four on any necessary rate on the basis of 121/2 cents to Chicago and 20 cents Chicago to the seaboard. The visit of Oscar Murray, vice president of the Big Four, to Chicago at the present time has something to do with the situation which will present itself July 1. Central Traffic Association lines, except the Grand Trunk and the Big Four, are deprived of all share in this tonnage by the lake agreements with the

BALCOM DREW HIS REVOLVER.

Interfered with While Examining Wagons for Vehicle Tabs.

Patrolman Balcom was informed, yesterday afternoon, that the Western Paving and Supply Company, on Michigan street and the Big Four tracks, had no licenses for a number of its delivery wagons, and went to the plant to investigate. He could not find the foreman and started to examine the wagons, when Edward Harmening, in charge of the plant, laid a hand on Balcom's shoulder and told him he would have to leave. Balcom said he was empowered to investigate. Harmening said he id not propose to have a policeman nosing into his affairs and attempted to shove Balcom out a door.

Balcom flourished his mace as Harmening and several companions made a rush at him. Balcom then drew his revolver and warned the men that if they further attempted to molest him he would shoot, At that moment the foreman appeared and took in the situation. He told Balcom that he would not be molested in his investigation. After a thorough search Balcom found everything satisfactory and then arrested Harmening on charges of interfering with and resisting an officer.

Make your engagements so that you can Wm. Green, general manager - the Cin- fair grounds. Admission 50 cents.

HEAVY BILL OF COSTS

MARION COUNTY MUST PAY OVER \$1,200 FOR SNYDER'S TRIAL.

Change of Venue Expensive-Tolleston Case Argument in Supreme Court-State and Federal Courts.

It cost Marion county the large sum of \$1,284.32 to conduct the trial of Louis Snyder, the self-confessed slayer of Mrs. Olive Cloud. The case was venued to Hendricks county and tried there. Yesterday afternoon a statement of the expenses arrived from Danville signed by Judge Hadley. The bill came into the hands of Deputy Auditor Johnson, A glance through the list shows that no detail was omitted. The first item provides for the extra prosecution of Snyder, which cost \$250. To off-set this there was \$500 worth of extra defense. Twelve jurors, the regular panel, received \$168 for the week's work, and four extra jurors were paid \$56 for loafing about the court room seven days. Fifteen special jurymen were about the courthouse one day at \$2 each. Mileage for jurymen foots up \$18.60, and two jury commissioners drew \$3 each,

It cost \$35 to procure evidence for the prosecution and the Hendricks county officials went \$5 better for the defense and put in a bill for \$40 for getting evidence with which to assist Snyder. The court bailiff worked seven days and draws \$10.50. His special bailiff for five days' work gets \$7.50, and the janitor, who is paid a regular salary for his work, pulls \$7 out of the Marion county coffers. His assistant gets \$7.50. The clerk of the court for drawing the venire, an occupation that required five minutes of his time, puts in a bill for \$2.50 and one for \$14, which amount is listed as

"clerk's per diem."

The sheriff of the county is paid the modest sum of \$49.20 for summoning witnesses and special jurymen. The jury during its deliberations cost Marion county \$45.50 for board and it cost \$9 to board the State's witnesses. The clerk of the county secures a final whack by certifying to the costs. For this arduous duty he receives \$1. The account was promptly placed on file and will be allowed. The laws of the State render the county from which a case is venued powerless to prevent the collecion and each of these extravagant charges must be paid.

TOLLESTON CASE ARGUMENT.

Suit by the State Involving Several Hundred Thousand Dollars.

The Tolleston Club case was argued in the Supreme Court yesterday. It involves the title to about three thousand acres of swamp land located near the city of Chicago, in Lake county, Ind., generally valued at \$100 an acre. The Tolleston Club is a hunting organization, and composed of the wealthiest citizens of Chicago, who use these lands solely for hunting, and the Calumet river, which traverses it, for fishing purposes. The State bases its title upon the swamp land act of Sept. 28, 1850, which granted to the several States of the Union all lands so wet and overflowed as to be unfit for cultivation, averring that the identification of the entire swamp, as coming within the meaning of the act of 1850, was sufficiently found in the government map, surveys and field notes which describe these lands as an impassable marsh; that in addition to this, under the rules of the Land Department, the State, in April, 1851, listed all of these sections, and that such selection was confirmed by the act of March 3, 1857, which declared that all swamp lands theretofore listed by the State are "hereby confirmed and approved;" that in addition to this the United States issued a patent fully embracing the territory in dispute.
The Tolleston Club claims title under an act of Congress of 1870, passed on the last day of the session of that year, the very preamble of which describes the lands as "unsold and unsurveyed;" declares that they are swamp lands, and that the Cal-

ized for the purpose of reclaiming them. The act directs that they shall be surveyed and sold to the highest and best bidder. The State insists that this act was void and the patents issued thereunder absolute nullities; that the very act itself in its preamble shows that, therefore, the government had no title in them to sell. The Tolleston Club further contends that if its title is not good under the act of 1870, and these lands were owned by the State, that the State, when it sold the border lots abutting upon the swamp land in question, passed title to the grantees under the riparian doctrine that owners of upon nonnavigable streams and inland lakes take to the center thereof. Replying to this, the State argues that the riparian doctrine has no application to swamp lands, and that even if this territory were a lake, under the decision of the Supreme Court of Indiana in the Beaver lake case the holdings of the border lot owners are limited by the meander or boundary line of the swamp. It is generally conceded that the State in this litiga-

umet Draining Company has been organ-

favor will be affirmed by the Supreme Court. All moneys derived from the sale of these lands, without deducting for the expense of recovery, will go to the common school fund. The Tolleston Club and other appellants were represented by Judge Olds, of Chicago; John B. Peterson, J. W. Youche and J. Kopelke, of Crown Point, and Judge Crumpacker, of Valparaiso. Senator alone participated in the argument in the Supreme Court yesterday on the side of the appellants. The State was represented by Attorney-general Smith, Judge Winfield, of Logansport, and Leon O. Bailey, of Indianapolis, the argument for the State being made in the Supreme Court yesterday by Mr. Bailey alone.

tion has established a perfect title, and that the decision of the lower court in its

DELINQUENT RAILROAD TAX.

Supreme Court Interprets Penalty Provisions of the 1891 Law. The Supreme Court yesterday, in an in-

terpretation of the penalty provision of the tax law of 1891, as applied to railroads, held that nonpayment in April carries into delinquency the whole tax, to which is added a penalty of 10 per cent. If such taxes are unpaid both are still delinquent in November, and an additional burden of 6 per cent. is added. It is held that if the April installment is paid and the November installment is ollowed to go delin-quent, only 6 per cent. can be added, and that no other burden can be added however long the delinquency continues. The court says it is not so, however, with the cost of enforcing the collection of delinquent taxes, which phase of the subject was not considered in the opinion. The interpretation was asked for by the Evansville & Terre Haute Railway Company in its suit against the treasurer of Gibson county. The opinion, which was written by Chief Justice Hackney, says that all questions as to the constitutional-ity of the tax law of 1891 have been passed upon by the United States Supreme Court and the Indiana Supreme Court. The de-

system. IT WILL BE COMPROMISED.

cision of yesterday embraces four cases, those of railroads comprising the Mackey

Bank of Commerce-Knights and Ladies of Honor Case. The suit of the Knights and Ladies of Honor against the Bank of Commerce will probably be compromised to-day. Yesterday afternoon the attorneys in the case asked Judge Brown to adjourn court temporarily. and retired to the court's private room. The consultation lasted until 6 o'clock, and at its conclusion one of the attorneys said that he thought the litigation would be adusted to-day. The Knights and Ladies of Honor are suing the Bank of Commerce for \$60,000 of funds which were on deposit. The bank officials claimed that they transferred to the lodge the Bank of Commerce Building, and that it was understood that

SPEAR DECLARED LIABLE.

eration of the purchase.

the money on deposit was to be the consid-

As Township Trustee He Had Money in a Defunct Bank. An opinion by the Supreme Court, yesterday, reversed the finding of the lower court in the case of William H. Spear, extrustee of Wayne township, this county, against John F. McClelland, the present school trustee, for the recovery of \$2,701 of school funds. This money represented a portion of the amount deposited by Spear as trustee with the Indiana Banking Com-

there, and paid most of the amount out of his own pocket. The Legislature of 1887 passed an act for the relief of the trustees passed an act for the renef of the trustees throughout the State who had money on deposit with the insolvent bank. Under this act Spear demanded of McClelland, after the bank had paid the full pro rata amount of all the fund it had on hand, the balance due him, amounting to \$2,701. Payment was refused, and he sued McClelland and secured judgment in the lower court. This was yesterday reversed, and Spear declared liable for the full amount—\$5,278.75.

COUNTERFEITER CRIES IN COURT. The Aged John S. Wehr Breaks Down

-The Convicted Men. John S. Wehr, the aged counterfeiter, of Tippecanoe county, stood before Judge Baker yesterday morning and cried like a child while the court read his sentence. He goes to the penitentiary for thirteen months, while his son, William Wehr, who was implicated in the spurious coin scheme, got off with a workhouse sentence of ninety days. Joseph Bennett, another member of the gang, drew a two years' sentence in State prison. Alfred Collins, who was unfortunate enough to handle some of the coin, received a severe lecture from Judge Baker and a sentence of a year and one day in prison. William Hilt and George Liston, Lafayette men, who were so drunk that they did not know a bad coin from one of Uncle Sam's purest dollars, were released on suspended sentence. Two other Lafayette men, George Clawson and John Marks, went to the workhouse for tampering with the questionable money. Yesterday afternoon Edwin Fellows pleaded guilty to the robbery of the post-office at Gleason, Ind., and ten minutes later was on his way to the workhouse. John S. Lyons, charged with violating the revenue law, was released on his personal bond of \$1,000. Robert Reagon, charged with the same offense, was discharged.

NOT ENTITLED TO OVERTIME.

Car Inspector Had Signed the

Monthly Pay Rolls. Otway Yeazell, the car inspector who claimed to have worked overtime for the Big Four and put in a bill for \$500, had his account disallowed in the Superior Court yesterday. It was shown that for two years he had signed the pay roll at the end of each month without demur, and the attorneys for the road held that he was not now entitled to damages. At the conclusion of the plaintiff's testimony Judge Winters instructed the jury to find against him.

NO DOUBLE TAX.

Local Breweries Pay No License for

Judge Stubbs yesterday decided against the city in its suit to compel the Indianapolis and Home brewing companies to pay a city license on their bottling enterprises. He held that the defendants already pay a license of \$1,000 a year on their breweries, and it would not be just to tax them \$1,000 more on their bottling depots when other establishments of a like character escaped with half the penalty. The city will not appeal the case.

Cloutier's Injuries Shown. The jury in the Alphonsus Cloutier damage suit against the gas companies was given a glimpse of the plaintiff yesterday. Cloutier, suffering terribly from his injuries, was carried into court and his condition exhibited to the jury. Yesterday the defendants' attorneys attempted to show that Cloutier, belonging to the priesthood, would never have the responsibility of a family, therefore would be less en-titled to damages. The plaintiff said that since he was no longer connected with the Catholic school he was free to marry if he desired to.

The Ejectment Too Gentle. Edward Cordell, of West Indianapolis, was acquitted of the charge of assault and battery yesterday in the Criminal Court. The prosecuting witness was Mary Bell Dell, a neighbor of Cornell's, who claimed that the defendant had violently ejected her from his house. The jury found that the ejectment had been of a nature so gen-tie that Mrs. Bell Dell had no remedy in the courts.

Frank Deppe was sent to the workhouse for thirty days. He relieved the stable of Conrad Rusk of a bridle and two sets of Can't Collect Her Policy.

Gertrude Dunn yesterday began action against the Home Benefit Life Insurance Association and the Mutual Benefit Association of America to collect an insurance policy of \$1,000, which she claims to hold. In August, 1893, her husband, Harry Dunn, died, leaving a policy in the Home Benefit Life Insurance Company. The plaintiff claims that the business of the company was afterward transferred to the Mutual Benefit Association, and that both companies refuse to honor the policy held by her.

Receivers' Report of Receipts. James H. Wilson and E. O. Hopkins, reeivers of the Louisville, Evansville & St Louis Consolidated railway, filed their report in the federal court yesterday. The total receipts for the month of May were \$454,744.38; balance on hand May 31, \$17,-

Fulford's Trial To-Day. Elijah D. Fulford, who is accused of empezzling funds from the Long-distance Telephone Company, will be tried in the Crim-

inal Court to-day. The charge of jury brib-ing will also be placed against him. Heavenly Messenger in Perry. George Grumm, aged twenty-three, was adjudged insane yesterday. He imagines that he is a special messenger from heaven to make mankind happy. He lives in Perry

township.

THE COURT RECORD. Supreme Court Opinions.

16875. Booker et al. vs. Farnwater. Sul-ivan C. C. Affirmed. McCabe, J.—Ordinarily twenty years after the right of action required for the possession of real estate under the twenty year statute is a complete bar to such action without such possession having been adverse, but such defense does not apply to an action for partition. Twenty years adverse possession not only bars the action for possession but also confers as complete a title as a written conveyance, even against a tenant in common where the tenant in possession denies the right of his cotenant and asserts a hostile title. 2. A deed to the heirs of a living person to take effect immediately is

16993. B. & O. & C. Railway Company vs Samuel — Porter C. C. Affirmed. Hackney, C. J. Affirmed on the authority Hackney, C. J. Affirm of 133 Ind., 115, 609, 629. 16883. E. & I. Railroad Company vs West, Treasurer, et al. Gibson C. C. Affirmed by Hackney, C. J., on the authority of the above cases. 16881. L., E. & St. L. C. Railroad Company vs. West, Treasurer, et al. Affirmed by Hackney, C. J., on the authority of the

16536. McClellan, Trustee, et al. vs. State ex rel. Speer. Marion S. C. Re-versed. Dalley, J.—The failure of a bank will not excuse a school trustee from making good the loss of funds belonging to the school township. 2. When such trustee voluntarily made up the money he had lost the Legislature cannot by statute legislate a tax upon the township to reimburs such trustee. 3. And a statute attempting to release the trustee and his bondsmen from liability on account of a judgment rendered against them for the lost money is unconstitutional as impahing the obligation of a contract. 16722. Fitch vs. Seymour Water Company. Jackson C. C. Affirmed. Howard, J .- A water company under contract with a city to furnish it water for the extinguishment of fires is not liable to a cit-

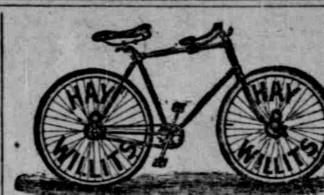
Appellate Court Opinions. 1280. Supreme Council C. B. Legion vs. Boyle. Allen S. C. Affirmed. Lotz, C. J.— A sheriff's return to summons should show that the defendant corporation was served by reading the process to the officer or

izen whose property was destroyed by

agent named in the statute. (R. S., 1894, Sec. 318.) 2. The agreements in an application for membership in a charitable and benevolent society having a sick benefit fund may be waived by a duly authorized agent where there is no attempt to waive any of the provisions of the by-laws which relate to the substance of the contract. 1148. State ex rel. Slinkard Pros vs. Edwards, Administrator, Greene C. C. Dismissed. Ross, J .- The bond required by Section 2009, R. S., 1884, must be filed as required therein or the appeal will be dismissed. 994. Peerless Stone Company vs. Wray.

Monroe C. C. Reversed, Gavin, J.-It does not appear either by direct allegation or necessary inference that the injuries received by appellee were the result of appellant's negligence. This defect is fatal to the sufficiency of the pleading. 1257. C., C. & St. L. Railway Company vs. Davis. Montgomery C. C. Rehearing denied. Davis, J .- It does not appear that the trial court ever ruled on the motion to dismiss or was ever asked to

1259. School Town of Carthage vs. Gray. Rush C. C. Affirmed. Reinhard, J.—Where a school teacher had had a contract to pany. When that institution failed Spear a school teacher had had a contract to will be had \$5.278.75 of township funds on deposit I teach for a definite period she can recover suits.



Waverly Bicycles

Price \$85, ARE LEADERS. SOLD ONLY BY

WILLITS.

THE LEADING CYCLE DEALERS. 70 North Pennsylvania Street.

Commencing Monday, May 7, our store will close at 6:30 p. m., except Saturday evening.



SANTA CLAUS SDAP BEST PUREST AND MOST ECONOMICAL.



LAURELS

At Louisville, Ky. Ten-mile road race record. Time, 26:54. By Mr. E. V. Minor, on a

CENTRAL BICYCLE

Central and Ben-Hur Cycles Are built in Indianapolis.

H. T. HEARSEY & CO., : 116-118 North Pennsylvania Street. State agents.



INDIANAPOLIS, Ind., June, 1894. CRESCENT REMEDY CO.: I want to say in favor of your Crescent Salve, that for a long time I have suffered from Catarrh. Nasal passages so badly clogged as to make breathing through that organ very difficult, and at times im-possible. Head all out of fix, and many other discomforts from that disease. I used numerous remedies without any permanent benefit. Then I concluded to try "Crescent Salve." I did so, and, as a result, my Catarrh is cured. I do not feel any symptoms of its return. I have also used it for a bad injury to my leg. A few applications effected a speedy and certain cure. I use it in my family in preference to any similar preparation; in fact, would not be without it. Contracting Agent Blue Line, Room 1, Chamber of Commerce, Indianapolis.

OPTICIANS. GLASSES GROUND LEO. LANDO. 62 EAST MARKET ST INDIANAPOLIS-IND

although the school was closed during the period by the board of health on account of a contagious disease, such action not being the act of God. 778. White, etc., Company vs. Atkinson Marion C. C. Dismissed. 1017. C. Aultman & Co. vs. Forgey et al. Howard C. C., Rehearing denied 1123. Conway et al. vs. Conway et al. Ohio C. C. Rehearing denied.

Superior Court. Room 1-James M. Winters, Judge. Henry Reese vs. Flora A. Pressell et al.; foreclosure. Cause stricken from Otway R. Yeazell vs. C., C., C. & St. L. Railway Company. Jury returned verdict Frank H. Hayden vs. Capitolia Hayden; divorce. Under advisement.

Room 2-J. W. Harper, Judge. Thomas Brown vs. William Coley; foreclosure of chattel mortgage. Tried by court. Finding and judgment for plaintiff for \$229.40 and decree of foreclosure. Henry T. Nolting vs. Mary M. Whitsprinkling assessment. Tried by Finding and judgment for plaintiff

Nancy K. Oswiler vs. Savina E. Creed et al.; foreclosure of mortgage. Tried by court. Finding and judgment for plaintiff for \$486.86 and decree of foreclosure Mary W. Neid vs. Charles Neid; Gvorce. Decree granted plaintiff. William S. Kinner vs. Henry Kahn; suit on account. Cause dismissed at defendant's George R. S. Kinner vs. Henry Kahn;

on account. Cause dismissed at defend-

Charles C. Harmon vs. Rose A. Harmon; divorce. Cause dismissed for failure to prosecute. Room 3-Pliny W. Bartholomew, Judge.

The Mutual Home and Saving Association vs. Ernest Reinkonoba; foreclosure. Judgment for \$1,038.20. Decree of foreclosure and sale ordered. Alphonsus Cloutier vs. Consumers' Gas Trust Company; damages. On trial by Circuit Court.

Edgar A. Brown, Judge. Supreme Lodge Knights and Ladies of Honor vs. Bank of Commerce; on contract. On trial by court. John H. Smith vs. David K. Folsom's Estate. Claim allowed by administrator Gotte, Coleman & Co. vs. David Folsom's Estate. Claim allowed by administrator The Grand Hotel vs. David Folsom's Estate. Claim allowed by administrator Egan & Treat vs. David Folsom's Estate. Claim allowed by administrator for Acme Steam Laundry vs. David K. Folsom's Estate. Claim allowed by administrator for \$6.73. St. Vincent's Infirmary vs. David Folsom's Estate. Claim allowed by administrator for \$36.15. Ad Hereth vs. David Folsom's Estate. Claim allowed by administrator for \$4.50. Comingor & Manker vs. David K. Folsom's Estate. Claim allowed by administrator for \$21. William E. Stuard was declared a person of unsound mind by a jury. State ex rel. Harrison Wyatt vs. Milton H. Daniels, justice of the peace; mandamus, Alternative writ issued to the 22d day of

New Suits Filed. Foster & Bennett Lumber Company vs. Annie Murphy et al.; suit on account. Superior Court, Room 3. Gertrude Dunn vs. The Home Benefit Life Insurance and Mutual Benefit Association; complaint on policy. Superior Court, Room 3. Foster & Bennett Lumber Company vs. Gilchrist et al. Superior Court, Room 3 Mary Lingle vs. Joseph Lingle; divorce, Superior Court, Room 2.

Mary C. Haldmann vs. A. W. Denny, Ad-

ministrator, et al.; partition. Final decree

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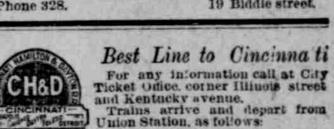
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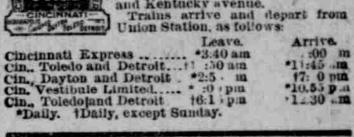
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